

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DONNIE T.A.M. KERN,

Plaintiff,

V.

GEORGE M. GARTEN, ET AL.,

Defendants.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

Case No. 7:21CV00495

ORDER

JUDGE JAMES P. JONES

The plaintiff, Donnie T.A.M. Kern, has filed two pro se motions, one entitled “Plaintiff’s Emergency Motion for Emergency Temporary Restraining Order,” and the other entitled “Emergency Request for Pacer E-File 2nd Attempt Post Complaint & Court Order.”

In the plaintiff's pro se Amended Complaint, he seeks an injunction against various public officials, including a circuit judge, because the plaintiff has been subjected to removal from the Alleghany County School Board pursuant to Va. Code Ann. § 24.2-233, -234, under which an appointed school board member may be removed from office by the circuit court upon the petition of the board of supervisors. According to the on-line docket of the Alleghany County Circuit Court, such a petition is pending against the defendant in that court. Based upon the allegations of the Amended Complaint, I find no basis to interfere with ongoing state

judicial proceedings in this case and will not grant a temporary restraining order. In addition, as I have earlier held, I will not grant the pro se plaintiff leave to file documents using the court's electronic filing system.

Accordingly, it is **ORDERED** that the plaintiff's motions, ECF Nos. 11 and 12, are DENIED.

The Clerk shall send a copy of this Order to the plaintiff.

ENTER: October 28, 2021

/s/ JAMES P. JONES
Senior United States District Judge